

increase and are in need of financial assistance which is not otherwise available on reasonable terms in that State, and upon receipt of such certification, the Administration may make such loans as would have been available under this paragraph if a disaster declaration had been issued.

“(F) USE OF FUNDS.—Notwithstanding any other provision of law, loans made under this paragraph may be used by a small business concern described in subparagraph (B) to convert from the use of heating fuel to a renewable or alternative energy source, including agriculture and urban waste, geothermal energy, cogeneration, solar energy, wind energy, or fuel cells.”.

(b) CONFORMING AMENDMENTS RELATING TO HEATING FUEL.—Section 3(k) of the Small Business Act (15 U.S.C. 632(k)) is amended—

(1) by inserting “, significant increase in the price of heating fuel” after “civil disorders”; and

(2) by inserting “other” before “economic”.

(c) EFFECTIVE PERIOD.—The amendments made by this section shall apply during the 4-year period beginning on the date on which guidelines are published by the Administrator under section 6.

#### SEC. 5. AGRICULTURAL PRODUCER EMERGENCY LOANS.

(a) IN GENERAL.—Section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) is amended—

(1) in the first sentence—

(A) by striking “operations have” and inserting “operations (i) have”; and

(B) by inserting before “: *Provided*,” the following: “, or (ii)(I) are owned or operated by such an applicant that is also a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632)), and (II) have suffered or are likely to suffer substantial economic injury on or after October 1, 2007, as the result of a significant increase in energy costs or input costs from energy sources occurring on or after October 1, 2007, in connection with an energy emergency declared by the President or the Secretary”;

(2) in the third sentence, by inserting before the period at the end the following: “or by an energy emergency declared by the President or the Secretary”;

(3) in the fourth sentence—

(A) by inserting “or energy emergency” after “natural disaster” each place that term appears; and

(B) by inserting “or declaration” after “emergency designation”.

(b) FUNDING.—Funds available on the date of enactment of this Act for emergency loans under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.) shall be available to carry out the amendments made by subsection (a) to meet the needs resulting from energy emergencies.

(c) EFFECTIVE PERIOD.—The amendments made by this section shall apply during the 4-year period beginning on the date on which guidelines are published by the Secretary of Agriculture under section 6.

#### SEC. 6. GUIDELINES AND RULEMAKING.

(a) GUIDELINES.—Not later than 30 days after the date of enactment of this Act, the Administrator and the Secretary of Agriculture shall each issue such guidelines as the Administrator or the Secretary, as applicable, determines to be necessary to carry out this Act and the amendments made by this Act.

(b) RULEMAKING.—Not later than 30 days after the date of enactment of this Act, the Administrator, after consultation with the Secretary of Energy, shall promulgate regulations specifying the method for determining a significant increase in the price of

kerosene under section 7(b)(10)(A)(iv)(II) of the Small Business Act, as added by this Act.

#### SEC. 7. REPORTS.

(a) SMALL BUSINESS ADMINISTRATION.—Not later than 12 months after the date on which the Administrator issues guidelines under section 6, and annually thereafter until the date that is 12 months after the end of the effective period of section 7(b)(10) of the Small Business Act, as added by this Act, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives, a report on the effectiveness of the assistance made available under section 7(b)(10) of the Small Business Act, as added by this Act, including—

(1) the number of small business concerns that applied for a loan under such section and the number of those that received such loans;

(2) the dollar value of those loans;

(3) the States in which the small business concerns that received such loans are located;

(4) the type of heating fuel or energy that caused the significant increase in the cost for the participating small business concerns; and

(5) recommendations for ways to improve the assistance provided under such section 7(b)(10), if any.

(b) DEPARTMENT OF AGRICULTURE.—Not later than 12 months after the date on which the Secretary of Agriculture issues guidelines under section 6, and annually thereafter until the date that is 12 months after the end of the effective period of the amendments made to section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) by this Act, the Secretary shall submit to the Committee on Small Business and Entrepreneurship and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Small Business and the Committee on Agriculture of the House of Representatives, a report that—

(1) describes the effectiveness of the assistance made available under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)); and

(2) contains recommendations for ways to improve the assistance provided under such section 321(a), if any.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 606—DESIGNATING JUNE 27, 2008, AS NATIONAL HIV TESTING DAY

Mrs. CLINTON submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 606

Whereas the Centers for Disease Control and Prevention (referred to in this preamble as “the CDC”) found that at the end of 2003, between 1,039,000 and 1,185,000 individuals in the United States were HIV positive, an increase from the estimated 850,000 to 950,000 such individuals at the end of 2002;

Whereas the CDC estimated that at the end of 2006, African-Americans represented 49 percent of all individuals living with HIV/AIDS, Whites represented 30 percent, and Hispanics represented 18 percent;

Whereas the CDC further found that at the end of 2006, men accounted for nearly 73 percent of all individuals living with HIV/AIDS and women represented more than 26 percent;

Whereas the CDC estimated that from the beginning of the epidemic through 2006, 565,927 individuals in the United States have died of AIDS;

Whereas the CDC has determined that the leading cause of HIV infection is male-to-male sexual contact, followed by heterosexual contact and injection drug use;

Whereas the CDC has estimated that during the 10-year period beginning in 1998, the rate of new infections in the United States has remained at approximately 40,000 annually, with no decline;

Whereas individuals at high risk of acquiring HIV are also often at high risk of acquiring other sexually transmitted infections;

Whereas a 2008 report from the CDC estimated that in the United States, 1 in 4 young women and nearly 1 in 2 young African-American women between the ages of 14 and 19 have a sexually transmitted infection;

Whereas the CDC estimates that about 25 percent of all HIV-positive individuals are unaware of their status;

Whereas the CDC reports that when infected individuals knew their status, they were more likely to practice HIV risk-reduction behaviors;

Whereas the CDC reported that in 2005, 40 percent of those individuals diagnosed as HIV-positive were later diagnosed with AIDS within 1 year of their HIV test;

Whereas the CDC reports that early knowledge of HIV status is important for connecting HIV-positive individuals with medical care and services that can reduce mortality and prevent the onset of AIDS;

Whereas a 2004 survey by the Kaiser Family Foundation found that many individuals in the United States wanted more information about HIV, including the different types of HIV tests available, testing costs, test result confidentiality, and testing locations;

Whereas African-Americans and Latinos are much more likely than Whites to say they need more information about HIV testing;

Whereas anxieties, misconceptions, and stigma have been traditionally associated with HIV/AIDS and HIV testing;

Whereas the most commonly used HIV tests require a 2 week waiting period for a diagnosis, and such a waiting period contributes to the anxiety surrounding HIV testing that discourages individuals from receiving their diagnosis;

Whereas the CDC estimated that in 2004, among those who took an HIV test at sites funded by the CDC, 22 percent did not return for their test results;

Whereas rapid test kits approved by the Food and Drug Administration have made HIV testing easier, more accessible, and less invasive, while delivering results within a single day;

Whereas prevention counseling is an essential part of HIV testing, and when conducted according to established CDC guidelines, has been shown to be effective at producing individual behavioral change;

Whereas the National Association of People with AIDS, founded in 1983, is the oldest coalition of people living with HIV/AIDS, and advocates on behalf of all people living with HIV/AIDS;

Whereas National HIV Testing Day is an annual campaign introduced in 1995 and produced by the National Association of People with AIDS to encourage individuals to seek out and receive voluntary HIV counseling and testing;

Whereas the theme of National HIV Testing Day 2008 is, “Take the test, take control”;

Whereas the Advancing HIV Prevention Initiative of the CDC emphasizes the importance of HIV testing;

Whereas as part of its overall public health mission, the CDC annually supports the National HIV Prevention Conference and National HIV Testing Day; and

Whereas June 27 of each year is now recognized as National HIV Testing Day: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates June 27, 2008, as National HIV Testing Day;

(2) encourages State and local governments, including their public health agencies, to recognize such a day, to publicize its importance among their communities, to encourage individuals to undergo counseling and testing for HIV and other sexually transmitted infections, and to establish and maintain effective linkages to care and treatment services for individuals testing positive;

(3) encourages the appropriate use of rapid test kits approved by the Food and Drug Administration as a fast and efficient method of HIV testing;

(4) encourages National, State, and local media organizations to carry messages in support of National HIV Testing Day;

(5) encourages the President to emphasize the importance of addressing the HIV/AIDS epidemic among all individuals in the United States, but especially among minority communities; and

(6) supports the development of a National AIDS strategy with clear goals and objectives to reduce new HIV infections, especially among minorities.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 5065. Mr. LEVIN (for Mr. COBURN) submitted an amendment intended to be proposed by Mr. LEVIN to the bill H.R. 3564, to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States through fiscal year 2011, and for other purposes.

#### TEXT OF AMENDMENTS

**SA 5065.** Mr. LEVIN (for Mr. COBURN) submitted an amendment intended to be proposed by Mr. LEVIN to the bill H.R. 3564, to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States through fiscal year 2011, and for other purposes; as follows:

On page 2, lines 6 through 8, *strike* “\$1,000,000 for fiscal year 2008, \$3,300,000 for fiscal year 2009, \$3,400,000 for fiscal year 2010, and \$3,500,000 for fiscal year 2011” and *insert* “\$3,200,000 for fiscal year 2009, \$3,200,000 for fiscal year 2010, and \$3,200,000 for fiscal year 2011”.

#### THE CALENDAR

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate proceed to the following bills en bloc: Calendar No. 841, S. 3015; Calendar No. 842, S. 3082; Calendar No. 843, H.R. 3721; Calendar No. 844, H.R. 4185; Calendar No. 845, H.R. 5168; Calendar No. 846, H.R. 5395; Calendar No. 847, H.R. 5479; Calendar No. 848, H.R. 5517; and Calendar No. 849, H.R. 5528.

I further ask unanimous consent that the bills be read a third time and passed, the motions to reconsider be laid upon the table en bloc, and that

any statements relating to the measures be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DR. BERNARD DALY POST OFFICE BUILDING

The bill (S. 3015) to designate the facility of the United States Postal Service located at 18 S. G Street, Lakeview, Oregon, as the “Dr. Bernard Daly Post Office Building”, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3015

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DR. BERNARD DALY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 18 S. G Street in Lakeview, Oregon, as the “Dr. Bernard Daly Post Office Building”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Dr. Bernard Daly Post Office Building”.

#### REVEREND EARL ABEL POST OFFICE BUILDING

The bill (S. 3082) to designate the facility of the United States Postal Service located at 1700 Cleveland Avenue in Kansas City, Missouri, as the “Reverend Earl Abel Post Office Building”, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3082

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. REVEREND EARL ABEL POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1700 Cleveland Avenue in Kansas City, Missouri, shall be known and designated as the “Reverend Earl Abel Post Office Building”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Reverend Earl Abel Post Office Building”.

#### MARINE GUNNERY SERGEANT JOHN D. FRY POST OFFICE BUILDING

The bill (H.R. 3721) to designate the facility of the United States Postal Service located at 1190 Lorena Road in Lorena, Texas, as the “Marine Gunnery Sgt. John D. Fry Post Office Building”, was considered, ordered to a third reading, read the third time, and passed.

#### MARISOL HEREDIA POST OFFICE BUILDING

The bill (H.R. 4185) to designate the facility of the United States Postal Service located at 11151 Valley Boule-

vard in El Monte, California, as the “Marisol Heredia Post Office Building” was considered, ordered to a third reading, read the third time, and passed.

#### CODY GRATER POST OFFICE BUILDING

The bill (H.R. 5168) to designate the facility of the United States Postal Service located at 19101 Cortez Boulevard in Brooksville, Florida, as the “Cody Grater Post Office Building”, was considered, ordered to a third reading, read the third time, and passed.

#### WILLIAM “BILL” CLAY POST OFFICE BUILDING

The bill (H.R. 5395) to designate the facility of the United States Postal Service located at 11001 Dunklin Drive in St. Louis, Missouri, as the “William ‘Bill’ Clay Post Office Building” was considered, ordered to a third reading, read the third time, and passed.

#### ALONZO WOODRUFF POST OFFICE BUILDING

The bill (H.R. 5479) to designate the facility of the United States Postal Service located at 117 North Kidd Street in Ionia, Michigan, as the “Alonzo Woodruff Post Office Building”, was considered, ordered to a third reading, read the third time, and passed.

#### TEXAS MILITARY VETERANS POST OFFICE

The bill (H.R. 5517) to designate the facility of the United States Postal Service located at 7231 FM 1960 in Humble, Texas, as the “Texas Military Veterans Post Office”, was considered, ordered to a third reading, read the third time, and passed.

#### ROCKY MARCIANO POST OFFICE BUILDING

The bill (H.R. 5528) to designate the facility of the United States Postal Service located at 120 Commercial Street in Brockton, Massachusetts, as the “Rocky Marciano Post Office Building”, was considered, ordered to a third reading, read the third time, and passed.

#### AUTHORIZING THE USE OF THE ROTUNDA OF THE CAPITOL

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 377, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 377) authorizing the use of the rotunda of the